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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

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In re:	Bankruptcy No. 24-23530
AMMON EDWARD BUNDY, Debtor.	Chapter 7 Honorable William T. Thurman

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**ST. LUKE'S CREDITORS' MOTION TO COMPEL BUNDY INDUSTRIES LLC'S  
COMPLIANCE WITH RULE 2004 SUBPOENA FOR EXAMINATION AND  
PRODUCTION OF DOCUMENTS**

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St. Luke's Health System, Ltd., St. Luke's Regional Medical Center, Ltd., Chris Roth, Natasha Erickson, M.D., and Tracy Jungman, NP (together the "St. Luke's Creditors"), respectfully move to compel Bundy Industries LLC to comply with a subpoena issued pursuant to Federal Rule of Bankruptcy Procedure 2004 and this Court's Order authorizing the St. Luke's Creditors to issue a deposition and document subpoena to Bundy Industries. Dkt. 340.

## **INTRODUCTION**

On July 17, 2024 (the “Petition Date”), Ammon Edward Bundy (the “Debtor”) filed the above-captioned Chapter 7 case. In 2024, the Debtor’s brother, Arden Bundy, and Arden’s wife, Lydia Bundy set up Bundy Industries LLC (“Bundy Industries”) to operate a business called “Bundy’s Brazilian Steakhouse” in St. George, Utah. The Debtor has a history of using friends and family members to help him conceal assets from St. Luke’s Creditors, and consequently, the St. Luke’s Creditors sought and obtained entry of an order authorizing them to seek information from Bundy Industries related to the Debtor’s assets and pursuant to Rule 2004. Pursuant to that order, the St. Luke’s Creditors issued a subpoena to Bundy Industries requiring its attendance at a 2004 exam and production of documents. But no representative for Bundy Industries appeared to be examined, and Bundy Industries did not produce any documents as the subpoena required. The St. Luke’s Creditors now ask the Court to compel Bundy Industries’ compliance with the subpoena.

## **JURISDICTION**

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1334 and 157. This Motion concerns the administration of the estate and therefore is a core proceeding pursuant to 28 U.S. C. § 157(b)(2)(A). Venue is proper in this Court pursuant to 28 U.S. C. §§ 1408 and 1409.

## **STATEMENT OF FACTS**

2. On January 13, 2025, St. Luke’s Creditors filed a Motion for Examination Under Rule 2004 of Bundy Industries. Dkt. 334.

3. As set forth in the motion, not long after Debtor caused approximately \$475,000 in cash to be transferred to a Utah credit union, Debtor's brother Arden Bundy and wife Lydia opened Bundy's Brazilian Steakhouse, in St. George. *Id.*

4. At her truncated January 2, 2025, examination, Lydia Bundy testified that the business, Bundy's Brazilian Steakhouse, is run through Bundy (or Bundy's) Industries. *See Declaration of Erik F. Stidham in Support of Motion to Compel Lydia Bundy's d/b/a Bundy Brazilian Steakhouse, Arden Bundy's, and Bundy Industries LLC's Compliance with Subpoenas for Rule 2004 Examinations and Requests for Documents ("Stidham Decl."), ¶ 5, Ex. B at 7-9.* Lydia Bundy further testified that she and her husband put together the corporate documents related to the business. *Id.*

5. The Debtor has a history of using family members and close friends or affiliates to shield his assets from the St. Luke's Creditors collection efforts. Dkt. 334, ¶ 12. As such, St. Luke's Creditors have an interest in examining a designee of Bundy Industries about Debtor's assets and any activities involving or related to the business and/or Bundy's Brazilian Steakhouse. *Id.*

6. On January 14, 2025, the Court granted the Motion for Examination Under Rule 2004. Dkt. 340.

7. On January 28, 2025, St. Luke's Creditors filed a Notice of Intent to Serve Subpoena on Bundy Industries. Dkt. 363.

8. The subpoena required attendance by a designee of Bundy Industries at a Rule 2004 examination on March 4, 2025. *Id.* ¶¶ 8-9, Ex. C.

9. On February 14, 2025, counsel for St. Luke's Creditors mailed and emailed Lydia and Arden Bundy the Bundy Industries subpoena as well as details about the examination date and production of documents requirement. *Id.*, ¶ 8, Ex. C.

10. The St. Luke's Creditors' counsel prepared for the examination, travelled from Boise to St. George for the examination, and arranged for a videographer and court reporter to attend and make a record of the examination. *Id.*, ¶ 13.

11. Bundy Industries failed to provide a designee or otherwise appear for examination on March 4, 2025. *Id.*, ¶ 14. As of the date of this Motion, Bundy Industries has not produced documents responsive to the subpoena. *Id.*, ¶ 17.

## **ARGUMENT**

12. The Court has authority to compel compliance by Bundy Industries with the Rule 2004 subpoena pursuant to Bankruptcy Rule 2004(d), Bankruptcy Rule 9016, which adopts Federal Rule of Civil Procedure 45, and Bankruptcy Rule 7037, which adopts Federal Rule of Civil Procedure 37.

13. Here, the subpoena required a designee of Bundy Industries to attend a Rule 2004 examination on March 4, 2025, and to produce documents at the time of the examination. Relying on the subpoena, the St. Luke's Creditors' counsel then prepared for the examination, travelled from Boise to St. George for the examination, and arranged for a videographer and court reporter to attend the examination. No designee for Bundy Industries appeared for the examination and it has failed to produce any documents as of the date of this Motion. Consequently, the St. Luke's Creditors respectfully move for entry of an order compelling Bundy Industries to produce the requested documents and to produce a corporate designee to attend the requested examination.

## CONCLUSION

WHEREFORE, the St. Luke's Creditors ask the Court to Compel and order Bundy Industries to produce the documents requested within 10 days of service of an order granting this Motion, and provide a designee to sit for a Rule 2004 examination within 20 days of service of an order granting this Motion.

DATED this 15th day of April, 2025.

HOLLAND & HART LLP

/s/ Erik F. Stidham

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Chris Roth, Natasha Erickson, M.D., and  
Tracy Jungman, NP

## CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2025, I electronically filed the foregoing with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF user.

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AND I FURTHER CERTIFY that on such date I served the foregoing on the following non-CM/ECF Registered Participants by First Class U.S. Mail, with postage prepaid, addressed as follows:

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*/s/ Engels Tejeda*  
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